

ORDINANCE NO. 2026-06-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING CHAPTER 90, ENTITLED “STREETS AND SIDEWALKS” OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS (“MCKINNEY CODE”) AND ADDING ARTICLE VII, ENTITLED “RIGHT-OF-WAY ACQUISITIONS”; ESTABLISHING A POLICY FOR THE ACQUISITION OF PROPERTY INTERESTS VALUED AT \$20,000 OR LESS; PROVIDING FOR VALUATION METHODS; REPEALING ALL CONFLICTING ORDINANCES; RESERVING ALL EXISTING RIGHTS AND REMEDIES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of McKinney, Texas (the “City”) is a Home Rule City possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code, and its Home Rule Charter; and

WHEREAS, the City adopted the Code of Ordinances, City of McKinney, Texas (“McKinney Code”), for the protection of the public health and general welfare of the people of the City; and

WHEREAS, the City frequently acquires small property interest for use as rights-of-way necessary for public infrastructure projects including roadway, drainage, water, wastewater, and other municipal improvements (“Public Infrastructure”); and

WHEREAS, the City Council finds that paying for professional service appraisals for minor acquisitions may unnecessarily increase project costs and delay delivery of public infrastructure improvements; and

WHEREAS, the City Council finds that utilizing the Collin Central Appraisal District independent valuations to determine a property’s fair market value for the acquisition of small property interests for use as Public Infrastructure will improve administrative efficiency while continuing to ensure fair compensation to property owners and compliance with applicable law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

Section 1. All of the above premises are found to be true and correct legislative determinations and are incorporated into the body of this Ordinance as if set forth in their entirety.

Section 2. From and after the effective date of this Ordinance, Chapter 90 – STREETS AND SIDEWALKS of the McKinney Code is hereby amended by adding a new Article VII, entitled “Right-of-Way Acquisitions,” to hereafter read as follows:

“ARTICLE VII. – RIGHT-OF-WAY ACQUISITIONS

Sec. 90-400. Definitions

Collin Central Appraisal District or “CCAD”- provides the individual independent appraisal of all property in the Collin County

establishing the market value equally and uniformly, providing that value annually to each taxpayer and taxing jurisdiction.

Public Infrastructure- means roadway, drainage, water, wastewater, and other municipal improvements.

Sec. 90-401.–Valuation for Small Acquisitions.

- (a) The City Manager or their designee is authorized to acquire any title, estate, or right in real property for the use as Right-of-Way for Public Infrastructure with an estimated fair market value of \$20,000 or less per property interest acquired from a single ownership utilizing the CCAD.
- (b) Market Value: For acquisitions meeting subsection (a) of this Section, the City Manager or designee, may determine market value using current property value per square foot, as determined by the CCAD, of the area proposed to be acquired.
- (c) The value determined under this section is intended to serve as an estimate of fair market value for purposes of negotiation. Nothing in this section shall prevent the City from offering compensation greater than the CCAD-based estimate when the City Manager or designee determines that doing so is reasonable or necessary to facilitate the acquisition.
- (d) Discretionary Appraisals. Nothing in this article shall prevent the City from obtaining an independent appraisal for any acquisition if the City Manager or designee determines that an appraisal is appropriate regardless of the estimated value.”

Section 3. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of said ordinances except in those instances where provisions of those ordinances are in direct conflict with the provisions of this Ordinance and such ordinances shall remain intact and are hereby ratified, verified, and affirmed.

Section 4. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney following the City Council’s adoption hereof as provided by law.

Section 6. This Ordinance shall become effective from and after the date of its final passage and publication as provided by law, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE ____ DAY OF JUNE 2026.

CITY OF MCKINNEY, TEXAS

BILL COX, Mayor
GERE FELTUS, Mayor Pro Tem

ATTEST:

EMPRESS DRANE, City Secretary
TENITRUS BETHEL, Deputy City Secretary

DATE: _____

APPROVED AS TO FORM:

MARK S. HOUSER, City Attorney
ALAN LATHROM, Assistant City Attorney
BENJAMIN SAMPLES, First Assistant City Attorney